

G. R. S. IX-5]

Previous references.

Police 58-16(1-4)

Later references.

Reserve
1917-18
(Police)

P 8

File No. 20-17

Serial Nos. 748

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 748

Part B for March 1818.

SUBJECT.

Infant Marriage
Case.

8) To the J. G. of Police
" Deputy Commr Mysore Dist.
No J 3881-2 of 22-3-18
Records with certain
Observations.

W D 58-GPB-50,000-24.7.16

Mrd Abdul Rahman
27. 3. 1818 Uthar

GENERAL AND REVENUE SECRETARIAT.

(*Police*)

NOTES.

File No. *26* ~~22~~ -17

FILE HEADING.

Infant marriage cases

From

*The I G of Police in Mysore.*No. *6049*
*426*Dated *5.3.18*Received *8.3.18*Diary No. *J2121*

Enclos. 2

Spare Copies.

Serial No. *7*

BRIEF ABSTRACT OF LETTER.

Requests that the prosecution of bridegroom Mase
not ordered in S.F. no. J1299-1300-Police 68.15-2.8725-9.15
may for reasons stated be dropped

NOTES AND ORDERS.

*Subd. for orders**The explanation that the name of the*

bridegroom was not mentioned in the margin does
not appear to be tenable when the body of the
order clearly mentions him as a person to be proceeded

(2)

G. R. S. III-2]

General and Revenue
Secretariat.

Police File No. ²⁰ 82 of 1917-18.

Serial
No.

against subsequent procedure in taking
further evidence about the age in the family
statements already recorded the misleading of the record
for over 2 years doubt ~~for~~ ~~statements~~ and speak in favour
of the officer's opinion. If approved, the papers will be
quinted, ~~with~~ the observation that the explanation is not
satisfactory that further investigation has been taken ~~by~~ ~~the~~
officer concerned in dealing with the case

ss
18/3

3171
13/3

Dr. Mr. G.

4/4

13/3

13/3

18/3

Draft subd

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v
26/3

8
18/3-18
18/3/18

Dr. Mr. D. G. of Police

Isme
ss
18/3

The Dy Commr. Mysore
No 3881-2 of 22-3-18
Records with certain observations.

GEN. JUDICIAL
8-MAR 1918

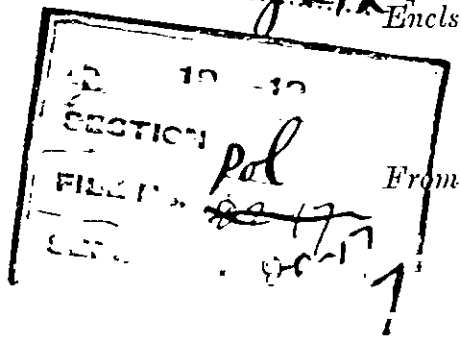
No. 6049/426

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

Dated Bangalore, 5th March 1918
6

DIARY No. J.2121

Encls. Two



From
K. R. SRINIVASA IYENGAR, Esq., M.A.,

~~Off.~~ Inspector-General of Police in Mysore.

To

C. S. Balasundaram Iyer Esquire, B.A.,

Chief Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

7/X
Pols 58-16-1
7/X
In continuation of this office letter No.4001/379 dated 24-2-17, regarding the prosecution of the bridegroom Mada under the Infant Marriage Regulation as ordered by Government in the order No.J.1299-1300/Pol.68-15-2 dated 25-9-1915, I have the honor to forward herewith for the information of Government copy of letter No.371 dated 4-1-18 from the Superintendent of Police, Mysore District, reporting that there is no satisfactory evidence to prove that Mada had attained 18 years of age at the time of his marriage on the 8th April 1915 and in the circumstances stated therein it does not seem to be desirable to press the case against Mada at this distance of time and I therefore request that it may be allowed to be dropped.

As already reported in this office letter referred to above, the omission to institute proceedings against Mada simultaneously with the other accused persons was due to oversight-apparently to the name of the man having escaped attention on account of its not having been included among those mentioned in the margin of the Government Order. The officers responsible for

4

-2-

for the omission will be warned to be more careful in such matters in future.

I have the honor to be,

Sir,

Your most obedient servant,

M. S. M. S. M. S.

Inspector General of Police.

P.S.

1

From

*The Inspector-General of Police
in Mysore, Bangalore*

To

Chief

*The Secretary to the Government
of H. H. the Maharaja of
Mysore, General Dept.*

Dated 5-3-1918.

Despatched 6

No. 6049/426

Enclosure 2

Subject.

Requesting that the prosecution
against bridegroom Mada ordered
in G.O. No.J.1299-1300/Pol.68-15-
dated 25-9-1915 may be dropped.

PS

(5-)

Copy of letter No.371 dated 4-1-18 from the Superintendent of Police Mysore District, to the Inspector General of Police in Mysore, Bangalore.

With reference to the correspondence ending with your letter No.4872/335 dated 24th April 1917 in the matter of the prosecution of Mada, the bridegroom concerned in the Infant Marriage case of Chamrajnagar Taluk, I have the honor to state that the records of the investigation which had been mislaid as already brought to your kind notice, were since traced in Chamrajnagar Taluk Office. Reference ^{to} those records showed that with regard to the age of bridegroom Mada, no satisfactory evidence could be secured. The recommendation for the prosecution of the bridegroom Mada appears to have been based on the statement of his father Sidda alias Muga recorded on 1-5-15 in ^{which} Sidda had stated that Mada was 20 years of age. But when the same Sidda alias Muga was again examined on 26-8-1917 on account of the mislaying of the original investigation records, he has not given even the approximate age of Mada nor could he be relied upon, in the Court. He has also stated therein, that no horoscope had been written touching the birth of Mada.

As it is incumbent on the prosecution to prove that the bridegroom was over 18 years of age at the time of marriage, before he could be held liable for prosecution in the absence of horoscope and the statement of the near relation of the boy with regard to his age, a searching enquiry had to be made with a view to trace any entry relating to the birth of Mada in the Registers of births and deaths pertaining to the village of Badunakuppa, where he was ascertained ^{to have} been born. A detailed search in the Taluk office of Chamrajnagar and the office of the Deputy Commissioner, disclosed that in the available Registers no entry could be traced.

In these circumstances, I had to subject Mada for Medical Examination and the District Medical Officer ~~Mah~~ ~~Musman~~ who examined the boy certifies that on 19-9-1917, Mada was above 17 years of age being probably about 20 or 21 years of age. A copy of the certificate is herein enclosed for reference. Even this certificate is not definite. The marriage took place on 8-4-1915 and if according to the certificate given on 19-9-17 Mada's age is taken to be 20 years, he would be of 18 years of age on 8-4-15, in which case he will not be liable for prosecution. If on the otherhand his age on 19-9-17 is taken to be about 21 years he will be passed 18 years on 8-4-1915, the date of his marriage in which case, he would be liable, but in the certificate, the age varies from 17 to 21 and the Police cannot arbitrarily take the oldest age to fix the accused. Under these circumstances, I am of opinion that no strong and satisfactory evidence could be adduced with regard to the age of bridegroom Mada. I have therefore thought it desirable to place the matter once more before you and seek instructions if prosecution of Mada has still to be undertaken.

"C O P Y"

M. A. A. A.

JH Inspector General of Police.

P.S.

From

The District Medical Officer
Mysore District.

To

The Superintendent of Police,
Mysore District.

No.907 dated 19-9-17.

Sir,

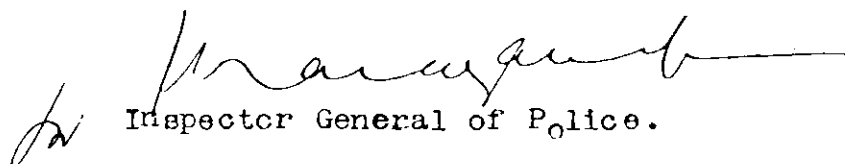
Your No. 561 of 17-9-17.

With reference to the above I have the honor to inform that
Mada is above 17 years of age, probably about 20 or 21 years.

I have etc,

Sd/- M. Usman,
District Medical Officer,
Mysore District.

" C O P Y "


Inspector General of Police.

P.S.

G.R.S. VI-71]

SUBJECT.....

il
Diary No. of letter replied to.....

General and Revenue Secretariat

(-)

, the

191

Section *Police*

File No., *68617*

Serial No.

Proceedings of the Government of

His Highness the Maharaja of Mysore.

Date of issue.....

18.8.15
76 F

Read.—

G. P. No. J/247-1300-Police

Signed by.....

68-15-2 dated the 25th September

1915 sanctioning the prosecution,
consequent to, of the case, the

crispramigum - infant swami,

which took place on 8.4.15 at

Babnanappur village, in the

Channarayana St.

Order Thereon: ~~No.~~

2. Letter no. 6049 dated
626

the 5th March 1918 from the

J. G. of Police in Mysore stating

that through oversight criminal

over.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette
English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette
Kannada part?

processes were not instituted
against Maeda along with others
and requesting that as ^{it was subsequently found} the
evidence against 'him' is not
satisfactory, the case against
'him' may be ^{allowed to be} dropped.

~~Ex. No. 2. 18.3.18.~~

Recorded with the observa-
tion that the explanation is
not satisfactory & that further
care should have been taken
by the officers concerned in
dealing with the case.

~~For Ch. Secy. to Govt.~~
To The J. G. of Police in Mysore.
To The Dy. Commr. Mysore Dt.

List of enclosures.

25.
18.3.18.
19/3/18

Copied by

Examined by